IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GHULAM MOHAMMED

WRIT PETITION NO : 14750 of 1993

Between:

T.Sanjeeva Murthy, S/o. B.Anjaneyulu.
aged about 43 years, Working as Employe

in Syndicate Bank, Cuddapah,

R/o. Cuddapah. Cuddapah District.

..... PETITIONER

AND

1 Syndicate Bank, Rep. Zonal Manager.
Zonal Office, Pioneer House 6-3-653,
Somajiguda, Hyderabad.
2 The Deputy General Manager, Syndicate Bank.
O/o.Zonal Office of Syndicate Bank, Poineer House, 06/03/653, Somajiguda,
Hyderabad 500 482.
3 The District Collector,
Kurnool District Kurnool.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate writ, order or direction more particularly in the nature of writ of Mandamus declaring that the proceedings of the 3rd respondent in his proceedings No.R.Dis(D12)2851/89, dated 07/04/1992 and the consequential charge sheet issued by the 2nd respondent in his Ref.3/93/CGS(D)/HYD, dated 10/02/1993, as illegal and void and pass such further or other orders as the Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.V.VENKATARAMANA

Counsel for the Respondent Nos 1 and 2.: MR.K.SRINIVASAMURTHY

Govt. Pleader for Revenue for Respondent no.3

The Court made the following :

ORDER: (per Sri GM,J)

This writ petition is filed seeking to issue a writ of mandamus declaring the proceedings No.R.Dis(D12)2851/89, dated 7-4-1992 passed by the 3rd respondent-District Collector, Kurnool District, cancelling the caste certificate issued to the petitioner as Valmiki Scheduled Caste Community and the consequential proceedings Ref.No.3/93/CGS(D)/HYD, dated 10-2-1993, passed by the 2nd respondent charge-sheeting the petitioner as being illegal, arbitrary and for issuing appropriate consequential orders in the circumstances of the case.

When the matter is taken up for hearing, Mr.Vedula Venkataramana, learned counsel appearing for the petitioner and the learned Government Pleader appearing for the 3rd respondent, fairly conceded that as against the impugned order dated 7-4-1992 an appeal lies to the Government under Sub-Section (2) of Section 7 of Act 16, 1993.

Inasmuch as there is an efficacious alternative remedy of filing appeal to the Government, under the above said provision, without going into the merits of the various averments made in the petition, the writ petition is disposed of reserving liberty to the writ petitioner to file an appeal within a period of three months from the date of receipt of a copy of this order and on such an appeal being filed by the writ petitioner, it is needless to mention that the same shall be disposed of on merits and in accordance with law, within three months thereafter. Till the appeal is disposed of, the interim order dated 1-10-1993 and extended until further orders subsequently, shall remain in force. No costs.

1-3-2005

Nrg.

.ASST. REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 Syndicate Bank, Rep. Zonal Manager.
Zonal Office, Pioneer House 6-3-653,
Somajiguda, Hyderabad.
2 The Deputy General Manager, Syndicate Bank.
O/o.Zonal Office of Syndicate Bank, Poineer House, 06/03/653, Somajiguda,
Hyderabad 500 482.
3 The District Collector,
Kurnool District Kurnool.

4. 2 ccs to Mr. K. Srinivas Murthy, learned SC for respondents 1 and 2 (OUT)

5. 2 ccs to Government Pleader for Revenue for respondent no.3

6) 2 CD copies

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THE HON'BLE SRI JUSTICE GHULAM MOHAMMED

WP NO.14750 OF 1993